## IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA FLORENCE DIVISION

corpo Carol	ration, Three Aina corporation,	Group, Inc., a Florida larm Subs, Inc., a South and Fireside Restaurant th Carolina corporation,	) ) ) )		
	Plainti	ffs,	) Civil Action No. 4:09-cv-00618-RBH		
	vs.		) VERDICT FORM		
	•	Calli Baker's Firehouse th Scurfield, an individual,	) ) )		
	Defen	dants.	)		
	& Trademar Question 1.	Do you find that the D evidence that Plaintiff	efendants have proved by clear and convincing Firehouse Restaurant Group, Inc. obtained the ark FIREHOUSE, Registration Number 3,173,030,		
		•	. Patent & Trademark Office?		
		(Mark the appropriate sp			
		NO. Firehouse Resta	urant Group, Inc. DID NOT COMMIT FRAUD		

\* If you have checked "YES" above, then when you answer "Question 2" below you must find that there was no infringement with regard to trademark FIREHOUSE, Registration Number 3,173,030. However, you must still decide whether or not there was infringement regarding all of the remaining marks.

## II. Plaintiffs' Claims of Trademark Infringement, False Designation of Origin, & Unfair Competition

Question 2. The Plaintiffs accuse the Defendants of infringing Plaintiff Firehouse Restaurant Group, Inc.'s registered trademarks shown below. For each trademark, you must determine if the Defendants doing business as Calli Baker's Firehouse Bar & Grill infringed that particular trademark. The Plaintiffs must prove the infringement by a preponderance of the evidence. After you have deliberated and reach an unanimous verdict as to each trademark, you should check the appropriate box and indicate whether or not you found infringement as to the particular trademark.

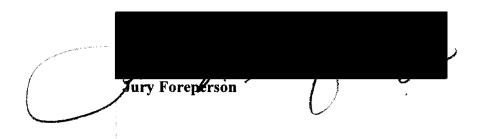
(Mark "YES" or "NO" for each mark below)

IS THE MARK INFRINGED?		<u>MARK</u>	REG. NO.	CLASS/USE
YES	NO	firehouse	1,903,135	Restaurant Services
YES	NO	SUBS	1,983,934	Restaurant Services, Providing of Food and Drink
YES	NO	FIREHOUSE SUBS	2,606,263	Restaurant Services specializing in submarine style sandwiches for public consumption

IS THE MAR	K INFRINGED?	MARK	REG. NO.	CLASS/USE
YES	NO_V_	FIREHOUSE SUBS AMERICAN DREAM OWN-ERSHIP PROGRAM	2,756,249	Conducting employee incentive award programs to promote ownership of employee-owned franchise restaurants
YES	NO	FIREHOUSE	2,795,059	Charitable Fund Raising
YES	NO	FIREHOUSE SUBS	2,795,060	Charitable Fund Raising
YES	NO	FIREHOUSE	2,866,824	Clothing, namely t-shirts, golf shirts and polo shirts
YES	NO	FIREHOUSE	3,000,715	Clothing, namely shirts
YES	NO	FIREHOUSE SUBS FIRST RESPONDER RELIEF FUND	3,006,000	Charitable fundraising; charitable fundraising services for victims of natural disasters and other catastrophes
YES	NO	FIREHOUSE SUBS	3,006,002	Charitable fundraising, namely, a fund for victims of natural disasters and other catastrophes
YES	NO	FIREHOUSE	3,012,834	Restaurant Franchising
YES	NO	FIREHOUSE	3,012,835	Restaurant Services
YES	NO/	FIREHOUSE SUBS	3,014,796	Restaurant Franchising
YES	NO	FIREHOUSE STEAK SUB	3,017,189	sandwiches
YES	NO/	FIREHOUSE "HERO" SUB	3,017,190	sandwiches
YES	NO_V_	FIREHOUSE SUBS	3,027,225	Cereal based snack foods; foods, namely cookies and brownies

IS THE MARK INFRINGED?		MARK	REG. NO.	CLASS/USE
YES	NO	FIREHOUSE	3,027,226	Cereal based snack foods; foods, namely cookies and brownies
YES	NO	FIREHOUSE SUBS	3,031,377	Pastries and desert items, namely cookies and brownies
YES	NO	FIREHOUSE	3,031,378	Pastries and desert items, namely cookies and brownies
YES	NO	FIREHOUSE PARTY PLATTERS	3,034,141	Catering services and restaurant services
YES	NO	FIREHOUSE SUBS	3,063,736	Stickers
YES	NO	FIREHOUSE	3,063,737	Stickers
YES	NO	FIREHOUSE SUBS	3,065,955	Bags, namely paper bags
YES	NO	FIREHOUSE SUBS	3,070,837	Hats; toy vehicles
YES	NO	FIREHOUSE	3,070,838	Hats; toy vehicles
YES	NO	FIREHOUSE	3,070,844	Bags, namely paper bags
YES	NO	FIREHOUSE	3,082,197	Paper for wrapping and packaging of food
YES	NO/	FIREHOUSE SUBS	3,082,196	Paper for wrapping and packaging of food
YES	NO	FIREHOUSE	3,173,030	Restaurant Services
YES	NO	Fleed the Fire.	3,136,447	Restaurant Services

IS THE MARK INFRINGED?		MARK	REG. NO.	CLASS/USE
YES	NO	Fleed the Fire.	3,136,446	Restaurant Franchising
YES	NO	FIREHOUSE SUBS	3,261,752	Gift cards; Magnetically encoded credit cards
YES	NO	FIREHOUSE FUNDS	3,330,363	Magnetically encoded credicards
YES	NO	FIREHOUSE SUBS	3,382,694	Financial services in the field of money lending; Consumer lending services



Florence, South Carolina August \_\_\_\_\_, 2011